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ABSTRACT

This newsletter contains two articles of interest to two-year college educators. The first details an examination of 83 public two-year college collective bargaining contracts and 41 public and private four-year college agreements for references to classroom visitations. Such references were found in 24 (29%) of the two-year college contracts and in 6 of the 20 (30%) public four-year college contracts. Personal and instructional improvement were the primary reasons given in the contracts for teacher observations. The accompanying charts indicate the prevalence of such clauses in contracts negotiated by various agents, such as the American Federation of Teachers, and in the East, West, and Midwest. The second article examines locations where faculties have voted for "No Agent" in bargaining elections. Two-year college faculties have voted for a bargaining agent in 9 out of 10 elections while four-year college faculties have voted for bargaining agents only two-thirds of the time. In the 212 two-year college elections conducted through June 15, 1976, 13 of the 15 (87%) private two-year colleges selected agents and 187 (95%) of the public two-year colleges chose agents. Charts are included showing the specifics of the 69 two- and four-year college elections where faculties failed to support a bargaining agent. (Author/MJS)

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THIS ISSUE

TWO-YEAR COLLEGE CONTRACT DATA-OBSERVATIONS

Classroom observation and visitation provisions found in two-year college contracts are presented in the first section of this issue (pp. 1-3).

The second section of this issue examines locations where faculties have voted for the No Agent box in bargaining elections (pp. 4-6).

Dr. Theodore H. Lang, Director of the Graduate Program in Educational Administration, Professor of Education at Baruch College, and a free-lance mediator, arbitrator and fact-finder, has been appointed Director of the National Center effective July 1, 1976 (p. 7).

JC 760 373

TEACHING OBSERVATIONS AND CLASSROOM VISITATIONS

The National Center has completed a review of 124 college contracts with regard to references to teaching observations and classroom visitations. The accompanying charts provide details about what the two-year college contracts say about observations and visitations. Our last issue (Vol.4, No.2, March/April) detailed the four-year college data.

Twenty-four of the eighty-three two-year Agreements reviewed contained references to observations or classroom visitations. All of the two-year contracts reviewed were public colleges. Among public colleges, whether four-year or two-year, a similar pattern is found. Six of twenty (30%) four-year, public college contracts listed observations and visitations while twenty-four of eighty-three (29%) of two-year, public college contracts mentioned them Only one (5%) four-year, private college contract mentioned classroom observations and visitations. There were no private, two-year college contracts in this study.

PURPOSE Self-help and professional improvement are the primary reasons given in the contracts for classroom observations and visitations. Several of the clauses discuss plans to adjust deficiencies and offer specific recommendations for improvement. The use of the information gained in classroom observations is not necessarily limited to self-improvement for the faculty member or the general improvement of instruction. Some of the documents reveal that observation material is relevant to reappointment, promotion and tenure decisions. The following language is an example: "classroom observations are essential to an accurate evaluation of faculty performance and for the purpose of study and improvement of instruction, institutional methods and procedures."

CONTRACT DETAILS The twenty-four contracts had a variety of responses as to who visits or observes the classroom teacher. In a number of contracts the observation duty was assigned to the Dean of Instruction, Division Chairperson or Academic Dean. In at least two contracts, students were written into the observation process. In other agreements, the department chairperson or immediate supervisor has the observation responsibility. In two contracts, a group of tenured faculty shares the observation responsibility with the appropriate administrators. One contract dealt with a team effort for observations with instructors forming an interdisciplinary approach to planning and sharing observations.

As a general rule, the two-year college contracts identified various members of the administration as having greater responsibilities for faculty observations. The two-year contracts were also more specific as to who was to be observed, how often and under what circumstances than their four-year college counterparts.

Usually the agreements called for at least an annual observation. One agreement called for two observations each semester during the first year and once each semester thereafter until tenure is awarded. Two or three other contracts require one visit per semester for the first year and at least an annual visit thereafter until tenure is achieved. Some contracts were more general and merely state that observations shall take place without detailing how often they should occur. One contract stated: "the parties hereto must mutually agree to the substantive and procedural aspects of the evaluation and observation procedure established by this special committee and which shall become a part of this Agreement."

The contracts usually require that the faculty member receive advance notice of any observations, that a written observation report be prepared and placed in the faculty member's personnel file, that the faculty member has an opportunity to respond to the observation reports, that certain time limits be observed and that the classroom observations be based on certain specific criteria.

One contract went so far as to ask four specific questions:

1) Is the content presented in class related to the course objectives?

2) Is the instructor attempting to develop interest in the material in the students?

3) Is the instructor attempting to communicate effectively? and

4) Is the instructor attempting to use teaching methods conducive to reaching the course objectives?

Another agreement attaches an evaluation chart as an appendix to the contract. The evaluator must circle the appropriate response. The chart is designed, according to the contract to provide a contemporaneous favorable and unfavorable anecdotal record of faculty contractual responsibilities.

CONCLUSIONS College unions are becoming more and more involved with issues of productivity, accountability and retrenchment. Given these pressures, one can reasonably expect more contracts to begin to deal specifically with faculty and staff observations. As with the four-year college data reported earlier this year, the Center predicts an increase in the number of clauses in this area but, more importantly, an increasing pressure from unions to be more specific as to how personnel decisions will be made and defended.

CHART I
Two-Year College Contract Observation Data

With Clause		Without Clause		Total	
24	(29%)	59	(71%)	83	(100%)

CHART II
Two-Year College Contract Observation Data by Agent

Agent	With Clause		Without Clause		Total	
AAUP	0	(0%)	1	(100%)	1	(100%)
AFT	10	(36%)	18	(64%)	28	(100%)
IND	3	(33%)	6	(67%)	9	(100%)
NEA	11	(24%)	34	(76%)	45	(100%)
	24	(29%)	59	(71%)	83	(100%)

CHART III
Two-Year College Contract Observation Data By Region

Region	With Clause		Without Clause		Total	
East	16	(42%)	22	(58%)	38	(100%)
Midwest	5	(14%)	30	(86%)	35	(100%)
West	3	(30%)	7	(70%)	10	(100%)
	24	(29%)	59	(71%)	83	(100%)

NO AGENT VOTE TABULATIONS

College faculties have been voting for or against collective bargaining and specific employee organizations for nearly a decade. Two-year college faculties have overwhelmingly voted for a bargaining agent in better than nine out of every ten elections while four-year faculties have voted for bargaining only two-thirds of the time. Private, four-year college faculties have supported bargaining in less than 60% of the bargaining elections. Results of more than 380 faculty bargaining elections are detailed below with charts showing the No Agent vote victories.

TWO-YEAR BREAKDOWN

National Center figures show 212 two-year college elections conducted through June 15, 1976. In 200 elections, 94% of the time, faculties chose a bargaining agent rather than the No Agent box. Two of the twelve No Agent victories occurred at private, two-year colleges. There have been fifteen private, two-year college elections and agents have been chosen thirteen (87%) times. The ten public, two-year college No Agent designations represent 5% of the 197 public, two-year elections. Agents were chosen 187 times (95%) by the faculties at public, two-year colleges.

FOUR-YEAR BREAKDOWN

Two-Thirds of the four-year college faculties who voted in bargaining elections supported a bargaining agent. One hundred and seventeen four-year college faculties voted for an agent while 57 (33%) voted for the No Agent box. In 79 public, four-year elections, agents won 62 (78%) times as compared to 17 (22%) No Agent victories. Private, four-year colleges voted in 95 bargaining elections. Agents were chosen 55 (58%) times. The No Agent box was chosen 40 (42%) times.

The charts show the specifics of the 69 votes where faculty failed to support a bargaining agent.

CONCLUSION

There are other interesting aspects of these elections which the Center's review discovered. Three of the 12 two-year colleges who individually voted against bargaining were swept into a 15-campus state-wide unit in Massachusetts. Also noted, was the fact that in each two-year college No Agent victory, the faculty was given the choice of voting for one nationally-affiliated organization or the No agent box. This was not always the case with the four-year schools where in sixteen of the fifty-seven No Agent victories, the faculty had a choice between at least two bargaining agents and the No Agent box.

Three of the four-year schools who voted bargaining down

at least once, now have an agent. In two instances, an agent was chosen in the second election. In the third instance, faculty voted for the No Agent box twice, each time defeating affiliates of the AAUP and NEA. On the third ballot, the faculty elected a merged AAUP/NEA affiliate as its agent.

Two other four-year elections resulted in No Agent victories because faculty votes ended in a tie. In Massachusetts, an AFT affiliate and the No Agent box tied, while in Oregon an election between the AAUP and the AFT resulted in a tie vote and the No Agent category, not even on the ballot, was declared the winner.

The Center compiles these results and offers a breakdown of the results. We leave the whys and hows of what happened to others.

TWO-YEAR COLLEGE NO AGENT VOTES

	East	Mid-West	South	West	Total
Private	2 (100%)	0	0	0	2 (100%)
Public	4 (40%)	1 (10%)	4 (40%)	1 (10%)	10 (100%)
Total	6 (50%)	1 (8%)	4 (33%)	1 (8%)	12 (100%)

FOUR-YEAR COLLEGE NO AGENT VOTES

	East	Mid-West	South	West	Total
Private	24 (60%)	10 (25%)	4 (10%)	2 (5%)	40 (100%)
Public	5 (29%)	8 (47%)	0	4 (24%)	17 (100%)
Total	29 (51%)	18 (31%)	4 (7%)	6 (11%)	57 (100%)

COMBINED TWO-YEAR AND FOUR-YEAR NO AGENT VOTES

	East	Mid-West	South	West	Total
Private	26 (62%)	10 (24%)	4 (10%)	2 (4%)	42 (100%)
Public	9 (33%)	9 (33%)	4 (15%)	5 (19%)	27 (100%)
Total	35 (51%)	19 (29%)	8 (12%)	7 (10%)	69 (100%)

THEODORE H. LANG NEW DIRECTOR

Dr. Theodore H. Lang, who has served for the past two years as Special Assistant to the President for Faculty Staff Affairs, has been named Director of the National Center effective July 1, 1976. Thomas Mannix, Assistant Director of the Center, who has served as Acting Director since the retirement of Maurice Benewitz, the Center's first Director, will assume the title of Associate Director.

Dr. Clyde J. Wingfield, President of Baruch College, in announcing the moves, said:

"Dr. Lang has served as Special Assistant with competence and dedication. He brought to the post an extensive background in labor relations which will also be valuable in guiding the work of our unique Center. And we are pleased that Professor Mannix, whose service as Acting Director of the Center has been outstanding, will remain."

Dr. Lang has been on leave since 1974 from his post as Director of the Graduate Program in Educational Administration. He joined the Baruch Faculty as Professor of Education in 1970 to develop the program, following five years' service as Deputy Superintendent of Schools for Personnel. It is widely recognized as one of the best and most innovative of its kind in training inner-city elementary and secondary school administrators. From 1960 to 1965, Dr. Lang was Director of Personnel and Chairman of the Civil Service Commission of the City of New York with substantial collective bargaining responsibilities and had held various posts in the Board of Education for City Administration since 1938. He is associated as an arbitrator and mediator with the American Arbitration Association, Public Employment Relations Board of New York, and the State Mediation Board. In his new post, Dr. Lang will continue his affiliation with, and teaching in, the Department of Education.

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